IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE COLUMBIA DIVISION

PHILLIP PYE,)
)
Plaintiff,)
) NO. 1:17-cv-00071
v.)
) JUDGE CAMPBELL
) MAGISTRATE JUDGE FRENSLEY
TY HADLEY,)
)
Defendant.)

ORDER

Pending before the Court is the Magistrate Judge's Revised Report and Recommendation (Doc. No. 42), recommending the Court grant Defendant's Motion for Summary Judgment (Doc. No. 19, 20) and deny Plaintiff's Motion for Summary Judgment (Doc. No. 13). In the Revised Report, the Magistrate Judge explains that, based on *Walker v. Schaeffer*, 854 F.2d 138, 142 (6th Cir. 1988), Plaintiff's "best interest" guilty plea to a simple possession drug charge in state court precludes all his claims in this action.

In his Objections (Doc. No. 43) to the Revised Report, Plaintiff contends the state parole board revoked his parole based on a "tampering with evidence" charge that was subsequently dismissed when Plaintiff entered the "best interest" guilty plea. Even if the Court assumes Plaintiff is factually correct, he has not shown Defendant Hadley violated his constitutional rights based on the actions of the parole board, or that *Walker* is otherwise distinguishable.

Having fully considered Plaintiff's objections, the Court concludes they are without merit, and that the Revised Report and Recommendation should be adopted and approved. Accordingly,

Defendant's Motion for Summary Judgment (Doc. Nos. 19, 20) is **GRANTED**, and Plaintiff's Motion for Summary Judgment (Doc. No. 13) is **DENIED**. This case is **DISMISSED**, with prejudice.

This Order shall constitute the final judgment in this case pursuant to Fed. R. Civ. P. 58. It is so **ORDERED**.

WILLIAM L. CAMPBELL, JR

UNITED STATES DISTRICT JUDGE